



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION  
CITY OF CHICAGO

September 24, 2019

Mr. Alfred Ng

**FREEDOM OF INFORMATION**

**RE: 19-FR-727**

Dear Mr. Ng,

This letter is in response to the Freedom of Information Act ("FOIA") request received by the City of Chicago Department of Business Affairs and Consumer Protection on September 17, 2019 for the following documents:

***"Email communications or records between the City of Chicago's Business Affairs and Consumer Protection and scooter rideshare companies including Lyft, Lime, Bird, Bolt, gruv, Uber, JUMP, Sherpa, Wheels, Veoride and Spin. We are seeking communications including but not limited to Isaac Reichman, the city of Chicago's director of public information, from July 2019 to present."***

**The FOIA provides in 5 ILCS 140/3(g) that "requests calling for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying public body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information."**

I am requesting clarification as to what documents you are seeking when you use phrase ***"or records"***. Because of the broadness of the phrasing, the language could potentially include a myriad of documents that would be exempt from disclosure. Also, without further clarification and a timeframe for documents, a search of all electronic databases, office file cabinet files, and possibly boxes located offsite in storage facilities, would be required to look for paper-based and electronic documents that would potentially be included under the umbrella of ***"or records"***. Thereby, as your FOIA request is currently written, the dedication of staff and/or resources is unduly burdensome on the daily operations of the Department of Business Affairs and Consumer Protection.

Your FOIA request for ***"Email communications"*** is also unduly burdensome. In order to effectively run an email search, the Department of Business Affairs and Consumer Protection needs the names or email accounts that you wish searched. The present email system's tool set cannot identify the department where an email user works, and therefore, a search cannot be based on a department. Parameters that would assist the Department of Business Affairs and Consumer Protection conducting an email search include: (1) the e-mail address of the account you wish searched; (2) key words you wish to search for;



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(3) the e-mail address of each individual's mailbox, if you seek e-mail correspondence to and from two individuals; and (4) the timeframe to be searched.

The Department of Business Affairs and Consumer Protection does not possess a list of all email addresses of individuals from "*Lyft, Lime, Bird, Bolt, gruv, Uber, JUMP, Sherpa, Wheels, Veoride and Spin*". Also, many of these are simply words in the companies' DBA names. The legal name used by these companies may be completely different and the email addresses of their employees may not reflect these words. It is unduly burdensome for staff to search their email accounts to attempt to even find email addresses of individuals from "*Lyft, Lime, Bird, Bolt, gruv, Uber, JUMP, Sherpa, Wheels, Veoride and Spin*".

Therefore, it is necessary that your FOIA request be narrowed and clarified. If you would like assistance in narrowing your request, please contact me, and I will assist you. Otherwise, as explained above, as your FOIA request is currently drafted, the Department of Business Affairs and Consumer Protection is unable to respond to the request.

If you agree to narrow your request, you must submit a revised written request to my attention. The Department of Business Affairs and Consumer Protection will take no further action or send you any further correspondence unless and until your current request is narrowed in writing. If we do not receive your narrowed request within fourteen (14) calendar days of the date of this letter, your current request will be denied.

In the event that we do not receive a narrowed request and your current FOIA request is therefore denied, you will have a right of review by the Illinois Attorney General's Public Access Counselor, who can be contacted at 500 S. Second St., Springfield, IL 62706 or by telephone at (217) 558-0486. You also have the right to seek judicial review of your denial by filing a lawsuit in Cook County Circuit Court.

Sincerely,

Grace Cielak  
Assistant Commissioner  
Freedom of Information Office  
Department of Business Affairs and Consumer Protection  
BACPFOIA@cityofchicago.org